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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-0884 VRW
)	
Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(8)(A))
JOSEPH WILLIS, JR.,)	
)	
Defendant.)	

With the agreement of the parties, and with the consent of defendant Joseph Willis, Jr., the Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), from February 19, 2009, to March 19, 2009. The parties agree, and the Court finds and holds, as follows:

1. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defendant's counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, in this case. Defendant's current counsel, Ms. Moorman, entered the case only on February 19 and requires time to review the discovery previously provided by the government and to talk with her client about the case.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from February 19, 2009, to March 19, 2009, outweigh the best interest of the public and the defendant in a speedy trial. Id. at § 3161(h)(8)(A).

3. Accordingly, and with the consent of the defendant, at the hearing on February 19, 2009, the Court ordered that the period from February 19, 2009, to March 19, 2009, be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: February 23, 2009

/s/
ANN C. MOORMAN
Attorney for Defendant

DATED: February 19, 2009

/s/
ANDREW P. CAPUTO
Assistant United States Attorney

IT IS SO ORDERED.

DATED: February 24, 2009

